

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Dinesh R. Patel

Serial No.: 10/710,753

Filed: July 30, 2004

For: Cross Flow Prevention System and Valve

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Group Art Unit: 3672

Examiner: Harcourt, Brad

Atty. Docket: 68.0505

Commissioner
for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

February 15, 2008

Date

Robert A. Van Someren

REPLY

Dear Sir:

In response to the Official Action mailed December 18, 2007, Applicant submits the following:

REMARKS

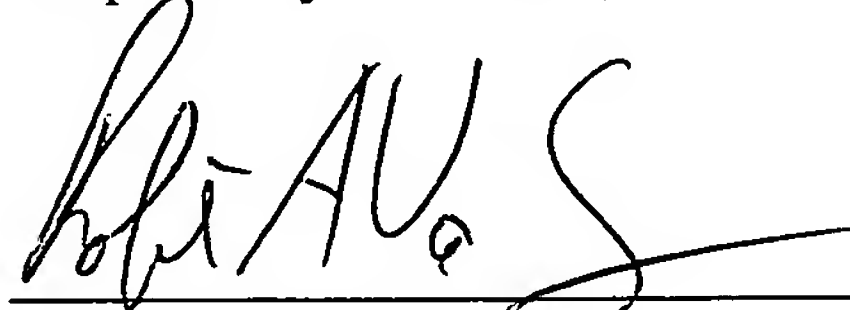
In the Office Action, prosecution was reopened after filing of the Appeal Brief dated April 16, 2007. Applicant hereby initiates a new appeal by filing the attached Notice of Appeal under 37 CFR 41.31.

In reopening prosecution, it was stated that Applicant's amendment following the August 11, 2006 Office Action necessitated a new rejection. However, an Office Action (dated February 20, 2007) was mailed after Applicant's Amendment (dated December 8, 2006) and already addressed the amended claim set.

Accordingly, all pending claims are believed to be in condition for allowance. If the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

A Notice of Appeal fee in the amount of \$500 was previously paid with the Notice of Appeal filed June 14, 2007. Currently, the Notice of Appeal fee is \$510. Payment in the amount of \$10 to cover the difference is enclosed herein. If the amount is insufficient, please charge Deposit Account No: 50-3054 to cover any deficiency.

Respectfully submitted,



Robert A. Van Someren
Reg. No. 36,038

Date: February 15, 2008

PO Box 2107
Cypress, TX 77410-2107
Voice: (281) 373-4369



1m AF

PTO/SB/31 (04-07)
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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

68.0505

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on February 15, 2008

Signature

Typed or printed
name

Robert A. Van Someren

In re Application of

Dinesh R. Patel

Application Number

10/710,753

Filed

July 30, 2004

For Cross Flow Prevention System and Valve

Art Unit

3672

Examiner

Harcourt, Brad

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

(\$500 Previously paid with
Notice of Appeal filed June 14, 2007)

\$ 10

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3054. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. 120

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 36,038

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Signature

Robert A. Van Someren

Typed or printed name

281-373-4369

Telephone number

February 15, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 2 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 02/20/2008 HVUONG1
06/20/2007 HVUONG1 00000061 10710753
01 FC:1401 500.00 OP

02/20/2008 HVUONG1 00000075 10710753 510.00 OP
01 FC:1401